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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/091,692

03/06/2002

Kim Burke

7436

7590

01/14/2004

Kim Burke
129 Davison Avenue
Oceanside, NY 11572

EXAMINER

NGUYEN, KIMNHUNG T

ART UNIT

PAPER NUMBER

2674

DATE MAILED: 01/14/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/091,692

Applicant(s)

BURKE, KIM

Examiner

Kimnhung Nguyen

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

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DETAILED ACTION

This Application has been examined. The claims 1-4 are pending. The examination results are as following.

Information Disclosure Statement

1. Examiner has not received the form PTO-1449.

Drawings

2. The subject matter of this application admits of illustration by a drawing to facilitate understanding of the invention. Applicant is required to furnish a drawing under 37 CFR 1.81. No new matter may be introduced in the required drawing.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Liljenquist (US patent 4,940,346) in view of Krueger et al. (US patent 5,999,950) and in view of Wood (US patent 5,511,980).

Regarding claim 1, Liljenquist discloses in figure 1, an improved computer keyboard arrangement, which functions to allow a user to conveniently type graphic symbols, the arrangement comprising a traditional computer keyboard enhanced to include at least one additional horizontal row of keys across a top portion thereof that bears said graphic symbols thereupon for typing said graphic symbols, said graphic symbols appearing upon a computer monitor linked to the device (see CRT display), said graphic symbols represent previously determined words, and the keyboard bearing indicia thereon and generally multi-color in appearance (see the rows may be colored cream, pink, pastel blue and pastel yellow, see column 5, lines 63-65), and the graphic symbols selected from the group of infants (see column 8, lines 30-31). However, Liljenquist does not disclose said graphic symbols represent determined words to facilitate on-line communications in an interactive global computer network, and the key bearing removable identifying labels and labels interchangeable in nature to allow the user to place said labels upon keys and in convenient positions for typing. Krueger et al. disclose in figures 5-6, a keyboard 200 connected through a network (see column 10 lines 64-67, and column 11, lines 1-11). Wood discloses a learning device in the form of an open book having a plurality of keys, and the child then may remove an animal indicia bearing unit from the card in figures 2A-4A (see column 6, lines 48-49). It would have been obvious to one of ordinary skill in the art at the time the invention was made to implement the teachings of using the keyboard connected through a network as taught by Krueger et al. and a plurality of keys removable the animal indicia bearing unit from the card as taught by Wood into the keyboard system of Liljenquist because this would be for sending electronic mail, and make

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use of the Internet in various other way (see Krueger et al., column 6, lines 44-47), and for processor may optionally recite the animal's name and/or generate a characteristic sound associated with the animal (see Wood, column 6, lines 48-51).

Regarding claims 2-4, Liljenquist discloses wherein the keyboard includes at least one row of said graphic symbol readily identifiable by children as discussed above, or for an inherent for mature adults only (see figure 6), and at least one row of keys that bear graphic symbols thereupon for typing said symbols and appearing upon a computer monitor (see figure 6).

Correspondence

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kimnhung Nguyen whose telephone number (703) 308-0425.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **RICHARD A HJERPE** can be reached on **(703) 305-4709**.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D. C. 20231

Or faxed to:

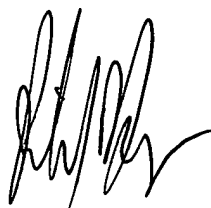
(703) 872-9314 (for Technology Center 2600 only).

Hand-delivery response should be brought to: Crystal Park II, 2121 Crystal Drive, Arlington, VA Sixth Floor (Receptionist).

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

Kimnhung Nguyen
January 9, 2004



RICHARD HUERPE
SUPERVISORY PATENT ENGINEER
TECHNOLOGY CENTER 2600